

**Planning and Zoning Commission  
Meeting of March 25, 2015  
Board of Supervisors' Meeting Room  
County Administrative Center  
219 East Cherry  
Flagstaff, Arizona**

**Members Present**

Mark Buzzard – Chairman  
Sat Best – Vice-Chair  
Jack Doggett  
Tammy Ontiveros  
John Ruggles  
Maggie Sacher  
Mary Williams

**Members Absent**

Don Walters

**Staff Present**

Jason Christelman, Director  
Jeanne Trupiano, Planning and Zoning Manager  
Bob Short, Principal. Planner  
Zach Schwartz, Planner  
Kate Morley, Planner  
William Ring, County Attorney  
Jessica Leiser, Deputy County Attorney  
Melinda Rockhold, Recording Secretary

Chairman Buzzard called the meeting to order at 5:30PM. He noted procedures to the Audience.

**I. APPROVAL OF MINUTES**

February 25, 2015 – **MOTION:** Commissioner Ontiveros moved to approve the Minutes as written. Commissioner Ruggles seconded the Motion. The Motion passed 6-0-1, with Commissioner Sacher abstaining.

**II. PUBLIC HEARINGS**

1. Case No. CUP-15-008: A request for Conditional Use Permit renewal without modification (of CUP-13-019) for an outdoor adventure camp on 30.73 acres in the General Zone. The property is located south of Highway 87 on Forest Road 513 approximately two miles east of the Blue Ridge Ranger Station and identified as 7379 Forest Service 9032H Road and as Assessor's Parcel Number 403-12-001.

Applicant: City of Phoenix Parks and Recreation, Phoenix, Arizona

Mr. Schwartz stated the request is for a renewal without any modifications. They have complied with all the conditions and staff is recommending approval.

The Applicant was present and agreed with the conditions listed in the staff report. There was no public present for comment.

Commissioner Ruggles stated he did visit the site with staff. He had also visited the site at the last renewal and commented on the improvement of the site.

**MOTION:** Commissioner Ruggles moved to approve Case No. CUP-15-008 as written. Commissioner Williams seconded the Motion. The Motion passed unanimously.

2. Case No. CUP-15-009: A request for renewal and modification of Conditional Use Permit (CUP-06-078) to use 5 ½ acres of the 17 acre property to develop construction yards for the storage of commercial vehicle and materials in the M2-6,000 (Heavy Industrial-6,000 sq. ft. minimum) Zone. The property is located at 7201 N. Leupp Road, and is identified as Assessor's Parcel Number 303-41-004B.

Applicant: Flagstaff Auto Recyclers, Flagstaff, Arizona

Mr. Short summarized the staff report and stated staff is recommending approval.

Commissioner Best asked if the contractor's yard is located within the 100-year floodplain. He was concerned about hazardous materials and asked if those items should be stored on solid foundations above flood level. Mr. Short said the flood plain is in the A Zone which means elevations haven't been established for this area. They would need to stay completely out of the area or complete a delineation of the flood way to show the contractors yard is not in the floodway. Mr. Short added you cannot block or displace water in the floodway.

Joe Rumann, Engineering Supervisor, explained the floodway would have to be defined which involves an engineering analysis. Mr. Rumann explained that process. He added anything in the floodplain would have to be stored properly and anchored.

Commissioner Doggett referred to Condition 4B regarding encroachment permits and asked if that included AZ Dept. of Transportation. Mr. Short said it is a County maintained road and would only require a County encroachment permit.

Commissioner Ontiveros asked if each storage yard will be evaluated. She understood the Commission is approving the entire project. She asked if each space would be looked at by Coconino County. Mr. Short explained a fence will separate the two uses. As the contractors yard area is leased it will be looked at by the applicant, not the County.

Mike Gardner, Casa Verde Consulting, Cottonwood, Representative, stated the contractors yard is an effort to keep the property alive. The owners of another recycle

yard across the street is paying more for scrap and Flagstaff Auto Recyclers cannot compete. Mr. Gardner referred to the flood concerns and stated in 27 years there has been three inches of water in the far corner where vehicles and crushers were previously located. Mr. Gardner explained there is a gravel pit behind this site, which is now the low spot. If the Commission is concerned there are a couple of options. Mr. Gardner said the site plan can be revised to stay out of that area or agree only mobile equipment will be placed there so it can be immediately moved.

Commissioner Best asked if there is an identified floodplain. Mr. Gardner said he does not. The cost is \$30,000. Delineating the floodway shows where water moves quickly. That has not been defined. Mr. Gardner further explained there is no wash where the water runs. For the past 27 years, the floodplain and floodway has not been an issue.

Commissioner Doggett asked staff if there is a common understanding with the applicant what the identified floodplain means. Mr. Short said the main thing staff had in mind when the condition was written is there is a lot of other areas that are not currently being used. The applicant could bring in a revised site plan that showed all of the proposed contractors yards are out of the floodway that would work. If totally out of that floodway a delineation would not be necessary.

Mr. Gardner understood the concerns regarding the flood zones but asked if that section of land could be utilized with non-hazardous materials. 2.5 acres would be lost. He added FEMA's floodplains are not always accurate. Mr. Garner said they would be happy to work with staff and make the changes.

There was no public comment.

Commissioner Ontiveros asked Mr. Rumann to return to the podium to address the flooding issues. Mr. Rumann explained it would take a lot of water to flood the site. There is no defined channel. Mr. Rumann said the main concern is blocking the flow so it is diverted and also the containments. Mr. Rumann said there are uses like a parking lot. If mobile equipment is placed in that area a detailed delineation would not be required. Commissioner Ontiveros asked if Mr. Gardner's suggestion of revising the site plan noting mobile equipment would be placed in the flood area would be acceptable. Mr. Rumann said yes.

Commissioner Best clarified Mr. Rumann would not support equipment that could not be moved. Mr. Rumann said that was correct, without a detailed analysis.

The Commission discussed using the site plan submitted but noting mobile equipment only. Mr. Short stated staff could take a revised site plan and administratively approve if that is okay with the Commission. Commissioner Ruggles suggested a condition stating any property that falls within the floodplain shall only be mobile storage. Staff and the Commission agreed. The Commissioner Doggett suggested Condition 4D to read: "The applicant shall either submit a revised site plan showing the proposed contractor's yards; or complete a delineation of the floodplain and floodway that demonstrates material or

equipment located in the proposed contractor's yards will not block the floodway or displace flood water in the floodway during a 100-year flood event. Any contractor's yard located in the identified floodplain shall be used for mobile equipment only."

**MOTION:** Commissioner Doggett moved to approve Case No. CUP-15-009 amending Condition 4D to read "The applicant shall either submit a revised site plan showing the proposed contractor's yards; or complete a delineation of the floodplain and floodway that demonstrates material or equipment located in the proposed contractor's yards will not block the floodway or displace flood water in the floodway during a 100-year flood event. Any contractor's yard located in the identified floodplain shall be used for mobile equipment only." Commissioner Ontiveros seconded the Motion. The Motion passed unanimously.

Mr. Gardner asked for clarification of the revised condition and agreed to that.

3. Case No. CUP-15-003: A request for a Conditional Use Permit to establish a Cottage Industry consisting of a landscaping business and storage of associated materials in the Residential Single Family (RS-40,000) Zone. The subject property consists of 1.38 acres and is located at 11205 Pinon Street, Flagstaff, AZ., and is identified as Assessor's Parcel Number 301-76-039.  
Applicant: Luke Neal, Flagstaff, Arizona

Mr. Short read the staff report and explained the clean-up time line schedule requested by the Commission at the previous hearing. Mr. Short noted he added an additional condition from the original conditions regarding truck delivery and also the rolls of grass to be removed immediately upon delivery. Staff is recommending approval.

Commissioner Best asked what happens if the schedule is not adhered too. Mr. Short said it is a condition of approval. Ms. Leiser added being a condition of approval, if not met, it could come back before the Commission for revocation.

The applicant was present and available for questions. The Commission had no questions for the applicant.

Evan Stallcup, 4840 El Oro, Flagstaff, stated he was at the previous hearing. The neighborhood is concerned about rolls of material left in the street over night. Mr. Stallcup felt this is not a cottage industry. It is a franchise operation for artificial grass. Mr. Stallcup stated the property is unsightly and a large fence enclosing the material does not fit the neighborhood. He is also concerned that the material used with artificial turf is safety hazardous.

Geraldine Finch, 4974 E Campbell Avenue, stated she lives across where the material is stored. A fence will not bother her to hide the material. She asked if the road is built to handle the semi-trucks that deliver the material. Ms. Finch stated there was a double rig delivering to some home at 10:30PM at night.

Kevin Craigie, 10910 N Lupine, agreed with his neighbors comment. He added a cottage industry should not have adverse effects. Having semi deliveries is a safety hazard, especially with children in the area. Mr. Craigie added a cottage industry should be inside a building, not 4500 square feet of outside storage. Mr. Craigie also noted the site has not been improved since the last meeting.

The floor was closed for public comment.

Commissioner Ontiveros asked if Pinon is a private street. Mr. Short understood it to be County maintained. It is public right-of-way. Ms. Leiser explained a road improvement district is adopted by the County and maintained by the County after the road is brought up to County standards. A road maintenance district is where the residents pay for the upkeep. Commissioner Best asked what weight the road is built too. Mr. Short did not know. Ms. Leiser added, if built to County standards, it can handle 26,000 gvw.

Commissioner Ontiveros noted the applicant has not done any improvements since the January hearing and asked if he will do it. He has 90 days to make improvements per the conditions he will be back before the Commission for revocation.

Commissioner Ruggles noted the conditions specify a 3-year time period. Because of the concerns the neighbors have expressed, he thought 3 years was too long. He suggested one year. It will also give the applicant an incentive to keep the neighbors happy and comply with conditions.

Commissioner Sacher noted her concern regarding large truck delivery late at night. Lighting at that hour is also an issue. She recommended adding additional requirements to Condition 3 that there be no deliveries before 8 a.m. and none after 5p.m. Commissioner Ruggles agreed and noted this condition be another incentive to keep working with the neighbors.

Commissioner Best stated his definition of a cottage industry is low impact and a way to incubate the business. He felt the material storage area is quite large but necessary to hide the materials. He agreed with the short time frame. Commissioner Best added an enthusiastic applicant would have started cleaning up the yard to show his neighbors he is willing to work with them. He encouraged the neighbors to let staff know if the schedule is not adhered to. He also agreed adding delivery times.

Commissioner Ontiveros wanted to get a better understanding when the applicant's deliveries come in. Commissioner Best said he would support 8 a.m. to sundown but not after dark. Commissioner Sacher thought 8 a.m. to 5 p.m. was generous in a residential community. They are putting the community at high risk. If deliveries are all hours, then commercial property is what is necessary. The Commission agreed to deliveries between 8 a.m. and 5 p.m.

Commissioner Best asked about a lighting condition. He suggested any lighting shall be dark skies compliant. He asked Mr. Short if the applicant's residence is on the property.

Mr. Short said it is. He also added a waiver would also have to be added to the conditions and approved for the 4500 square foot storage area. He noted there has not been any lighting proposed.

Commissioner Sacher asked if it has been confirmed the road is County maintained. Mr. Short stated when he had talked with the County Engineer he was told Pinon is a County maintained road.

Commissioner Ruggles verified conditions for lighting would be the same and the zoning district. Mr. Short said it would be the same as residential lighting requirements, which is a lumen cap. Mr. Short recommended adding a 7<sup>th</sup> condition that the lighting be fully shielded.

Regarding the waiver for the storage area size, Mr. Short suggested amending Condition 2 to include a waiver to Section 19.3.C.1 which refers to storage size.

Commissioner Ruggles agreed with comments by neighbors about minimal fencing existing in the area. 4500 square feet is a large area.

**MOTION:** Commissioner Sacher moved to approve Case No. CP-15-003 amending Condition 2 to read: “This action grants a waiver allowing a 4,500 sq. ft. material storage area may be constructed within a six-foot solid opaque wall or fence as shown on the site plan pursuant to Section 24.3.6 and 19.3.C.1. All equipment and materials including personal items and materials shall be stored within this material storage area and the proposed new storage shed. The location, color, and materials of the wall or fence shall be subject to the approval of the Director of Community Development prior to installation.” Adding to the end of Condition 3: “Deliveries shall be restricted to the hours of 8 a.m. to 5 p.m.”; Adding to end of Condition 7: “All lighting within the cottage industry storage area shall be fully shielded.” Amending Condition 6 for approval of one year to expire March 25, 2016. Staff also recommended adding to Condition 3: “All off-site parking shall comply with all applicable Ordinances.” Commissioner Sacher Agreed. Commissioner Ontiveros seconded the Motion. The Motion was unanimously approved.

Chairman Buzzard asked the applicant if he understood the Conditions. Mr. Neal said yes.

4. Case No. CUP-14-037: On Remand from the Board of Supervisors. A request for a Conditional Use Permit to allow the placement of four shipping containers in addition to one previously approved on a 10-acre parcel in the General Zone. The property is located on the west side of Highway 180 north of the Nordic Center and south of Forest Road 193, and is identified as Assessor’s Parcel Number 300-22-004N.

Applicant: Dedrick Howell, Flagstaff, Arizona

Ms. Trupiano passed out current photos of the site to the Commission. She summarized the staff report explaining the proposal is to remove the storage containers by August 31

2015. She explained the applicant's proposed removal plan for the containers and the properties the applicant owns. Ms. Trupiano noted the applicants plan is to reside on parcel 4M. The applicant has requested a longer time frame. Staff is recommending approval to allow the open building permits to be complete and the four storage containers not approved in CUP-12-009 be removed by August 31, 2015. The one 8'x40' storage container and solar array previously approved in CUP-12-009 shall remain with a term to expire March 25, 2016 but must apply for renewal if desired 90 days prior to the March 25, 2016 expiration date.

Commissioner Ruggles clarified the 8 x 20 shipping container does not need a building permit. He noted the Zoning Ordinance requires a building permit be issued. Ms. Trupiano stated the Building Official had stated that does not need a building permit. Staff explained it is in the current Zoning Ordinance but new building codes does not require a building permit for that size.

Brian Furuya, Attorney with Aspey, Watkins & Diesel, Flagstaff, serving as representative, stated his client is asking for time to come into compliance. He explained they were originally planning on building a container home. He agreed his clients should have done things differently. Mr. Furuya clarified the items approved in CUP-12-009, the 40 foot container, is intended to be for permanent use. Everything else will be removed by August 31, 2015.

The Commission had no questions for Mr. Furuya.

Commissioner Ontiveros asked Mr. Trupiano to clarify where it is stated the original CUP-12-009 expires in one year versus the original 10 year time frame. Ms. Trupiano explained this Conditional Use Permit is fixing the compliance issues. Condition 4 modified the 10-year time frame of CUP-12-009 to make sure conditions of CUP-12-009 are met.

William Ring, Coconino County Attorney, explained these conditions compel the applicant to complete the deficiencies. Commissioner Best noted the original CUP was approved for 10 years. Commissioner Sacher noted it is six years into the term and conditions have not been met. Mr. Ring noted the applicant is here because of non-compliance issues.

Mr. Furuya asked to speak. He added his clients want to be in compliance. They can make compliance of this CUP-14-037, which is meant to bring the previous CUP-12-009 into compliance. They will meet the August 31, 2015 deadlines.

Commissioner Doggett suggested adding to Condition 4 if conditions of CUP-12-009 are not in compliance by March 25, 2016 it will expire. If complied with by then, the term continues to until March 27, 2022. The Commission agreed. Ms. Trupiano clarified if compliance is not met by March 25, 2016 it will expire.

Commissioner Ontiveros commented she had wished the applicant was present at the



original hearing where the Commission would have worked with the applicant.

**MOTION:** Commissioner Doggett moved to approve Case No. CUP-14-037 amending Condition 4 to read: “This use permit shall be valid until March 27, 2022 except if any conditions in this conditional use permit remain incomplete as of March 25, 2016, this conditional use permit will expire.” The second sentence in Condition 4 remains as written. Commissioner Ontiveros seconded the Motion. The Motion was unanimously approved.

Chairman Buzzard asked Mr. Furuya if he understood the conditions. He said he did.

5. Case No. AM-14-002: Amendment to the Zoning Ordinance for Vacation Rentals.

Applicant: Coconino County Community Development

Ms. Morley gave an update of the draft Ordinance and the activities since the January 28, 2015 meeting. Ms. Morley added staff will be creating a brochure directing property owners on requirements and procedures including building code and health code requirements. Stakeholders also have asked about potential topics that would be brought up at pre-application meetings. Ms. Morley thanked the stakeholders in assisting her with this Ordinance.

Commissioner Doggett asked if the property management plans would be available to the public. Ms. Morley said staff will have a copy of the plan.

Commissioner Doggett felt the notification to neighbors was important, noting that requirement has been eliminated, and asked the basis for enforcement. Ms. Morley verified notification has been removed from the Vacation Rental Ordinance and put back into the standard enforcement process which has more flexibility and authority. Commissioner Doggett felt some language should be added regarding enforcement. Ms. Morley noted the Enforcement Section applies to the entire Zoning Ordinance but staff could add information into the brochure staff will be creating and part of the pre-application meeting.

Commissioner Doggett verified a neighbor can get a copy of the property management plan. Ms. Morley said it will be public record. Contact information will be required in that plan. Commissioner Doggett thought a pre-application meeting for each vacation rental applicant is impractical. Ms. Morley stated staff has discussed that and see an initial need to set aside days just for vacation rental pre-applications. Commissioner Doggett asked about the possibility of allowing a grace period where people would not be required to attend a pre-application meeting. Ms. Morley stated each plan would need some level of review. Staff can monitor their time. Ms. Morley noted there is approximately 400 vacation rentals in the County. Commissioner Ruggles agreed this would be an administrative action of Community Development.

Commissioner Sacher asked Council why this business is exempt from ADA



requirements. Mr. Ring said the thought is this is not a business. Commissioner Sacher felt those who own several is a business. Ms. Morley explained ADA requirements are part of the building code under transient dwelling use. Commissioner Sacher felt it was very unfair to business owners who have to comply to ADA requirements, which is very burdensome. Vacation rentals function as a business. Commissioner Williams said she sees it as a long term rental property.

Mr. Ring said it is a well taken point and the Board of Supervisors will hear the Commission and public comments. Mr. Ring added the functionality of the structure is still acting like a house and still have to comply with single family residential codes. As long as the change of use of the rental has not been turned into something else. Mr. Ring noted exchange of money for family's sleeping and eating there does not constitute a commercial business. Commissioner Sacher stated many citizens have brought this to her attention. She asked about properties that are in the commercial zone which have single family residents on them. Can they rent as vacation rental? Ms. Morley stated this Ordinance is only proposing this to be an allowed use in residential zones. She added a vacation rental cannot get a conditional use permit to rent to multiple families. That would be hotel/motel or bed and breakfast.

Commissioner Best asked the average number of occupants in a home in Coconino County. Ms. Morley thought 2.8 to 3.2. Commissioner Best asked if complaints are made, what happens. Ms. Morley explained complaints get forwarded to the Code Enforcement division. A letter is sent to the owner of the property, an initial Notice of Violation is sent. Staff does visit the property to see if there is a violation. Ms. Morley further explained documentation can be received from neighbors. Then staff will take appropriate steps whether to forward to the Hearing Officer. Commissioner Best asked the number of open violation cases. Ms. Morley stated there are approximately 30 open cases. Ms. Morley noted one Code Enforcement Officer has been temporary assisting Planning and Zoning staff because the case load is so low. Commissioner Best asked Ms. Morley how other jurisdiction handles vacation rental complaints. Ms. Morley explained Yavapai County is currently having issues with compliance.

Commissioner Ontiveros referred to the management plan and asked why Section G gives a list of requirements when told by the Board of Supervisors they did not want specifications. Ms. Morley explained it was the direction from the Board of Supervisors but given all comments from the public and stakeholders staff received it was difficult to get rid of the property management plan and meet the direction of all constituents. Ms. Morley added vacation rental owners preferred to have the property management plan putting more enforcement on the property owner rather than performance standards enforced by the County. Ms. Morley believed the few items listed will help the process. The Board has the prerogative to strike the entire Section

Commissioner Ontiveros said Yavapai County vacation rental owners are not coming in to get permits. She thought there would be very few people who would actually apply for the permit and not apply for permits until enforcement happens. Ms. Morley said it a significant issue with other jurisdictions. Staff originally had a waiver for a certain

number of days as an incentive. Commissioner Ontiveros asked how the public will know a permit will be a requirement. Ms. Morley said a press release will be necessary along with various public outreach.

Commissioner Ontiveros referred to the definition of family and asked if a family could be as many as 15 people. Ms. Morley said it is an unlimited number. That same number and definition applies to any residential housing unit. Commissioner Ontiveros verified there would be no legal issues putting a cap on the number of people allowed. Ms. Morley said the Attorney's office is comfortable with the occupancy standards staff has set.

Commissioner Best asked the definition of 'affinity'. Ms. Morley stated those related by marriage. Commissioner Best verified unrelated individuals could not be included in the rental agreement. Ms. Morley said it is capped at five unrelated individuals which may be difficult to prove and enforce. Mr. Ring added that enforcement problem exists now with single family residences.

The floor was opened for public comment.

Ron Volkman, 9825 N Sycamore Pass Road, Sedona, stated he is the Government Affairs Director for the Sedona Verde Valley Association of Realtors. He realizes this Ordinance applies only to the Oak Creek area in the County. Mr. Volkman said there was a discussion in Yavapai County on this topic. County representatives seem to be in denial there is a problem. He congratulated staff and stakeholders on this endeavor and believes the Ordinance will be a model for other cities and counties. Mr. Volkman asked for clarification on item 3B. Ms. Morley explained it refers to the site and house plan, going back to Senate Bill 1598. Mr. Volkman asked what the application fee might be. Ms. Morley said that is decided by the Board of Supervisors. Mr. Volkman also noted this proposed Section number already exists. Ms. Morley said the Section number would be corrected. Staff has been working on the Draft Ordinance for a year. Mr. Volkman congratulated staff and the Commission again in coming up with a real solution for property owners, neighbors, realtors, etc. Commissioner Best asked Mr. Volkman the approximate number of vacation rentals in Yavapai County. Mr. Volkman said 800-1200 were estimated.

Jeff Meilander, 6685 W. Leonard Lane, Flagstaff, stated he was one of the stakeholders and appreciated all the hard work put into the Ordinance and being included in the process. Input and feedback was well received. Mr. Meilander said he also appreciated the education process and ability to pass on that information to others.

Suzanna Reen, 155 Quail Trail, Sedona, stated she is in the property management business. She was very impressed with staff and stakeholders working together. Solutions have been provided with guidelines that also assist the property management companies.

Dawn McCraw, 6406 N. Sanderson Pass, Parks, thanks staff and the Commission for all the work has been done. Ms. McCraw said the past five years was not positive. The past

three months have been a complete turn-around. Ms. McCraw noted to the Commission she felt she and others have finally been listened to. She commended Ms. Morley for all the work and organization she has done. Ms. McCraw said the only thing the vacation rental organization is opposed to is removing the 'plus two' allotment regarding occupancy. Mr. Morley clarified she had omitted that in the Draft and asked Ms. McCraw if they would like that to remain. Ms. McCraw said the Organization would like it to remain. She thanked everyone for all the hard work in building consensus.

The floor was closed for public comment.

Commissioner Doggett said hearing consensus from operators of vacation rental facilities he is liking the outcome. Commissioner Doggett said there is a balance between identifying vacation rentals from being the same as housing and long term rentals. There has been an effort to simplify the Ordinance. Commissioner Doggett wished public notification was still included but having a copy of the property management plan available to the public is good. He felt if the Board of Supervisors sees a consensus with the stakeholders and all involved, he thought it would help in their decision.

Commissioner Best commended staff and the many members of the public who worked on the proposal. He did not agree with some elements of the proposed Ordinance. He looks at the Ordinance from the point of view of community character, unintended consequences and Proposition 207. Community character will be preserved if vacation rentals are largely indistinguishable from other neighborhood residences. Allowing 8 adults and unlimited small children in a 3 bedroom house does not compare well with the County average of 3 occupants per house. It also seems fair that neighbors be given notice of vacation rentals and be advised how they can resolve problems. Vacation rentals are an internet driven business, and the Uber taxi phenomenon shows how fast the internet can change a market. Given the clarity of a controlling ordinance and the right set of market conditions, there could quickly be a great many vacation rentals in our neighborhoods. Proposition 207 will prevent any pulling back of vacation rental property owner's rights once the ordinance is passed. It seems appropriate to pass a fairly restrictive ordinance and allow owners to ask for more rights through the CUP process if they and their neighbors think it appropriate.

Commissioner Williams thanked Ms. Morley and the stakeholders involved and agreed with the Ordinance.

Commissioner Ruggles complimented staff and felt the Ordinance is a compromise which makes the situation workable. He is in support of the draft Ordinance and believes it is the best thing to move forward with.

Commissioner Sacher agreed with Commissioner Best that the neighbors do need to be notified and have the information. She felt it is putting a burden on the neighbor to complain. She also felt 10 people is high for an average house and neighborhood. Commissioner Sacher added she had to consider the number of business owners who do not like having an Ordinance. She agreed there is a valid place for their comments and

could not support the Ordinance because it does not support existing businesses.

Commissioner Ontiveros thanks staff and the public for their kind comments. She understood Commissioner Sacher's points regarding businesses. It does not seem fair and is a valid point. Commissioner Ontiveros stated she had noted her concerns at previous meetings and is comfortable sending this forward to the Board of Supervisors.

Chairman Buzzard stated he felt the system is just and fair and allows something new to be legally changed if it is wrong.

Commissioner Doggett noted the main objection is the maximum number of 10 people. That is a maximum number which would be a 4-5 bedroom home. That would not be the case for everyone. He is disappointed about the notification but felt the draft Ordinance is a good compromise. Chairman Buzzard added the Board will have the Commissions comments and concerns.

It was noted the section number will have to be revised since new sections of the Ordinance have been adopted.

**MOTION:** Commissioner Ontiveros moved to approve AM-14-002. Commissioner Ruggles seconded the Motion.

Commissioner Doggett noted staff wanted to include the plus two additional language.

**AMENDED MOTION:** Commissioner Ontiveros moved to approve Case No. AM-14-002 amending Section D2 to add 'plus two'. Commissioner Williams seconded the amended Motion.

The Motion passed with a vote of 5-2, Commissioners Best and Sacher noting nay.

It was noted the Amendment to the Zoning Ordinance will be heard by the Board of Supervisors at a date yet to be set.

### **III. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA**

There was no public present for comment.

The meeting adjourned at 8:46PM.

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Chairperson, Coconino County  
Planning and Zoning Commission

ATTEST:

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Secretary, Coconino County  
Planning and Zoning Commission